Scott, H-27—104,000-4-11-45

Food A&S (195 /) Department.

MS SERIES.

G.O. NO. 1625

1625

Dated 13-8-51

13.8.51

[Despatch Abstract.]

Committees - South Kanara Coconut and Arecanut Market Committee - Elections - preparation of electoral roll of growers - Extension of time Granted.

Ref.C.No.30480-50-A5. South Kanara Collector's Office, Mangalore, dated: 20-12-1950.

From

A. R. Rajaratnam, B.A.,
Collector of South Kanara.

84573

The Secretary to Government,
Food and Agriculture Department,
M A D R A S.

Sir,

ACTS AND RULES - Madras Commercial Crops Markets Act - Coconut and Arecanut - Extension to South Kanara District - Preparation of electoral rolls - Extension of time - Requested.

Reference: 1. G.O.Ms.No.1508 Food & Agriculture, dated 1-11-1949.
2. " No.1331 Food & Agriculture, dated 10-7-1950.

*****

In G.O. dated 1-11-1949 cited, South Kanara District was declared to be a notified area in respect of coconut and its bye-products, and arecanuts for purposes of Section 4 of the Madras Commercial Crops Markets Act, 1933. In the G.O.dated 10-7-1950 cited, the appointment of the members of the Committee was notified and accordingly the Committee met on 28-9-1950 and elected its Chairman and Vice-Chairman.

2. In pursuance of Rule 2-A of the Madras Commercial Crops Markets (Election) Rules, 1940, detailed instructions were issued in this office Ref.No.30480-49-A5 dated 18-8-1950 to all Registration Officers for the due preparation of the electoral rolls of growers under the Act. Dates for publication of preliminary rolls in Middle of October 1950, for preferring claims and objections by the end of October 1950, for disposing of claims and objections by the end of November 1950 and for publication of final rolls by 10-1-1951 were also fixed and the registration officers directed to proceed with the preparation of the rolls for this end. As the work progressed, practical difficulties however arose as to the class of persons who were to be registered as growers. In this district, on account of existence of the peculiar system of land tenures, apart from the registered holder who is the virtual grower, there was also the -- mulgeni-tenant, the chalgeni tenant, the mortgagee and the minor registered holder who is represented by a guardian who also take the produce from the growers and are also eligible to be registered growers. There being no minimum laid as to the number of trees that would qualify one to be a grower, the problem was as to whether the one who grows and sells the product on a commercial basis was alone to be registered as a grower. The site of the holding that would qualify one to be registered as a grower was also not determined. As these points had to be decided before the rolls could be completed and as it involved expert opinion, the matter was referred to the Director of Agriculture who clarified the points in his L.Dis.No.1619/50 dated 31-10-1950.

3. The preparation of the rolls is nearing completion. After this is done, claims and objections have to be invited, heard and and disposed of, and in the meanwhile the six months time contemplated in rule 2-A of the abovesaid rules will expire on 9-1-1951 (calculated with reference to G.O.No.1331 dated 10-7-1950 cited above). It is unlikely that the rolls can be completed within the said prescribed time limit.

4. Apart from this, there is an organised opposition from

P.T.O.

growers and the traders to the application of the said Act to this district and the orders of the Government on this are awaited.

In the circumstances stated above, I request time till 10-5-1951 for the preparation of the Electoral Rolls of growers to be prepared under Rule 2-A of afore-said rules.

Yours faithfully,

For Collector.

MES/21-12.
Compd.

Copy to the Director of Agriculture, Madras.

Food & Agri (P)

Endt No. 8439, R/50-1, dt 26-12-50

Referred to the D.A for immediate remarks.

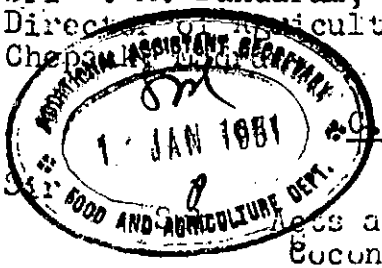
To the D.A (with a copy of M/12 only)

R. 3.1.51

AGRICULTURAL DEPARTMENT.

From
Sri R. M. Sundaram, I.C.S.,
Director of Agriculture,
Chepauk, Madras.

To
The Secretary to Government,
Food and Agriculture Department,
Fort St. George. Madras.



C.1.1945-50 dated 30-12-50.

744132 P/50 dt 2-1-51

Acts and Rules - Madras Commercial Crops Markets Act - Coconut and Arecanut - Extension to South Kanara District - Preparation of electoral Rolls - Extension of time - Remarks offered.

2 above Ref:- Government Endorsement No.84395--P/50--1 dated 26-12-50.

The Collector of South Kanara has requested Government to grant time till 10-3-1951 for the preparation of electoral rolls. He has explained ~~its~~ in detail the need for extension of time. I agree with the Collector of South Kanara and therefore, I request that Government may be pleased to grant time till 10-3-1951 for the preparation of electoral rolls.

sd. T. Natarajan,
for Director of Agriculture.

-True Copy/Forwarded/By order.

Gazetted Assistant.

bsr.30-12.

Ref.C.No.30480/49-A5

South Kanara Collector's Office,
[illegible] dated. 12.2.51.

From

SRI A.R.RAJARATNAM,B.A
Collector of South Kanara

To

The Secretary to Government,
Food and Agricultural department
Fort St. George Madras.

Sir,

11942 P/51

ACTS AND RULES: Madras commercial crops market act--cocoanut and Arecanut- extension to South Kanara district- preparation of electoral rolls--extension of time--orders solicited.

--

Ref: 1.G.O.Ms.No.1308 Food and Agriculture dated 1.11.49.
2.G.O.Ms.No.1331 Food and Agriculture dated 10.7.50.
3.This office Ref.C.30480-49-A5 dated 20.12.50.

--

(Y) Copy at (K) Palvine

3) Palvine

In this office reference cited third above I had reported about the difficulties in the preparation of Electoral rolls of cocoanut and Areca growers in this district, to be prepared under rule 2A of the Madras Commercial crops Markets (Election) Rules 1940 within the required time and applied for time till 10.3.51 for the completion of the work. But no orders from the Government have so far been received In the meanwhile the work of preparing the manuscript rolls has been completed in Karkal, Coondapur, Kasaragod and Puttur taluks. In accordance with the instructions contained in Government Memo 63[illegible]5-I-50-1 dated 5.10.50 I am arranging to get the electoral rolls of the above 4 taluks printed locally. In the remaining taluks of Mangalore and Udipi the work of preparation of these rolls is not yet complete. The Tahsildars concerned have applied for time till the end of this month, for the preparation of preliminary rolls as the work involved is voluminous. Even after the rolls are printed and published claims and objections will have to be invited, heard, and disposed of, which requires further time. In the above circumstances the final rolls will not be ready by 10.3.51 as originally estimated by me. I request, therefore, that an extension of time for 2 months from 10.3.51 may be granted for the publication of the final electoral rolls of growers of cocoanut and Arecas in this district.

Yours faithfully,

For Collector.

AH 13/2

IC/13.2.51.

Memo No. 84395P/50-3 dt 15-3-57

Sub:- Committees - South Kanara Coconut and Arecanut Market Committee - Preparation of electoral roll of growers - Extension of time.

Ref:- From the Collr of S. Kanara. Ref. C. No. 30480/49-A5 dt 12-2-51

- The Collr of S. Kanara is informed that the matter is under the consideration of the Govt

To the Collr of S. Kanara.

Memo No. 84395 P/50-4 dt 23-5-57

Subject: Acts and Rules – M.C.C.M. Act extended to South Kanara – preparation of electoral rolls

Reference: 1) Correspondence resting with the letter from the Coll. of South Kanara, C. No. 30480/49-A5 dt 12-2-51.

2) G.O. Ms. 958 ~~Jud~~ A dt 11-5-5

The Coll. of South Kanara is requested to state whether the preparation of electoral rolls of grounds in the South Kanara notified area has been completed and if not, by which date he expects to publish the final electoral rolls

To the Coll. of S. Kanara

Copy to the D.A.

Typed

EXD/CDS/4415

P-5-2455/51

copy at (X)

1 M 26/5

BBM 23/5/57

BBM 24.5.57 BR 22.5.51

22/5

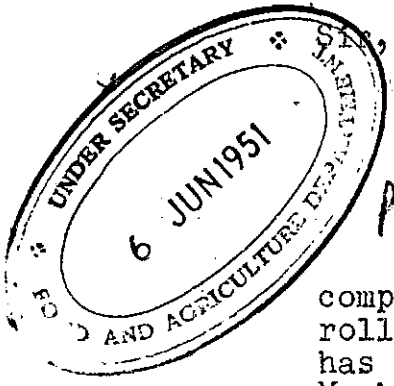
1. 15 days

Ref.C.No.30480/49-A5 40251

South Kanara Collector's Office, Mangalore, Dated 4-6-51.

From
Sri. A. R. Rajaratnam, B.A.,
Collector of South Kanara.

To
The Secretary to Government,
Food and Agricultural Dept.
Fort St. George, Madras.



ACTS AND RULES _ Madras Commercial Crops Market Act - Extended to South Kanara - Preparation of electoral rolls progress report submitted.
Ref: Govt. Memo No.84395/P/50-4 Food and Agrl. Dept. dated 23-5-51.

The Preparation of manuscript electoral rolls has been completed in all the taluks. Steps are being taken to get the rolls printed as early as possible. Sri. K. Dejappa Shetty who has been appointed as Secretary of the South Kanara and Malabar Market Committees, has joined duty only on 28-5-51 and he has been asked to provide for funds to meet the printing charges.

Yours faithfully,

For Collector

ks/4-6

Minute 3/1116 7B 9/11/16

7+A(P)

Memo no 84395 P/51-5 dt 11-6-51

Subject: Committee - South Kanara Coconut and Arecanut Market Committee - Elections - printing of electoral rolls

Ref: From the Collr of South Kanara, Ref. C. No. 30480/49-A5 dt 4-6-51.

The Collr of South Kanara is requested to ~~state the date by which~~ municipally state what date he expects to ~~complete the printing~~ publish the final rolls ~~for granting~~ so that necessary extension of time for completion of rolls under the proviso to rule 2-A of the M.C.C.M. (Election) Rules, can be granted.

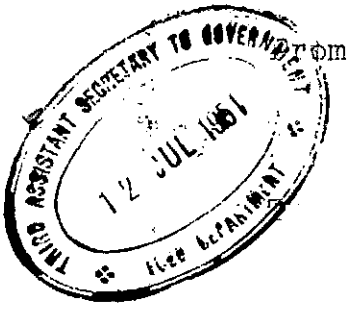
Collr of S. Kanara 9-6-51

9.6.51

11/6

Ref.C.No.18150/51-A5.

SOUTH KANARA COLLECTOR'S OFFICE,
Mangalore, dated 7-7- 1951.



From

Sri. A. R. Rajaratnam, B. A.,
Collector of South Kanara.

49116

The Secretary to Government,
Food and Agricultural Department,
Fort. St. George, Madras.

Sir,

Sub:- COMMITTEES -South Kanara Coconut and Arecanut Market committee- Elections - Printing of electoral rolls - Report - submitted.

P.13 above
P.5 Ut file

Ref:- 1)Memo from Government No.84395/P/51-5 d/11-6-51.
2)Memo from Government 84395-P/51-6 d/ 2-7-51.

The manuscript electoral rolls will be printed and published in the first week of September. Extension of time till then may kindly be granted.

Yours faithfully,

For Collector.

kvr/10-7-1951

Prime Sup. Committees South Kanara Cocoanut and Arecanut Market Committee - Elections - preparation of electoral rolls of growers Extension of time - ~~Notice~~ granted

Ref: From the Collr of South Kanara, Ref C.No. 1815 A/51-A5 dt 7-7-51

Orders Ms No. 1625 Dated 13.8.51

In exercise of the powers conferred by the proviso to rule 2-A of the Madras Commercial Crops Markets (Election) Rules, 1940, His Excellency the Governor of Madras hereby grants extension of time ~~upto the 7th~~ (September 1951) to the Collector of South Kanara for the preparation of electoral rolls of growers relating to the South Kanara Cocoanut and Arecanut Market Committee

Copy of G.O dt (X)

x not printed

Cp. P. 15.

Ord Circles

To the Coll. of S. Kanara

Copy to the D.A

S.F

1 Added

Memo. No. 84395-P/50-

Sub:- Committees - South Kanara Coconut and Arecanut Market Committee - preparation of electoral rolls - Extension of time - Granted

Ref:- From the Colln. of South Kanara No. Ref. C. 30480-50-A.5 dt 20-12-50.

From the D.A. No. C.I. 1945-50 dt 30-12-50.

M 1-2 of

P 3 of

In the circumstances reported, the Colln of S. Kanara is permitted to ~~complete~~ get the electoral rolls of growers printed by ~~the~~ 10-3-51. The Colln is, however, requested to see that the election to the Market Committee is held in time.

To the Colln of S. Kanara

Copy to the D.A

3.1.51 3.1.51

Note similar extension of time was granted

in the case of Anantapur Market Committee - M. see pp 3-4 of ⊗.

3.1.51 BR 3.1.51.

No. 2 the Anantapur case extension of time was given only for getting the rolls printed and not for the preparation of the rolls. In the present case extension of time is sought for the very preparation of the rolls. And the Govt. competent to grant such extension vide authority

A.S's query at p.2 above

Rule 2-A of the M.C.C.M (Election) Rules requires that as soon as possible after an area is newly notified under the M.C.C.M. Act and a Market Committee established for such area and in any event not later than 6 months from the date of appointment of members of the committee the Election Authority shall cause electoral rolls to be prepared in accordance with rule 3 Rule 3 contemplates not only preparation but also publication of rolls. In the present case the Coll of South Kanara has stated that the electoral rolls of growers relating to the South Kanara Market Committee is nearing completion and that as claims and objections have to be invited, heard and disposed of and as the period of six months contemplated under rule 2-A will expire on 9-1-51, he has requested time till 10.3.51 for completing the preparation of rolls.

It may be stated in this connection that the South Kanara Market Committee though constituted in July 1950, has not started functioning in view of the wide opposition against the application of the Act. The D.A has been asked to meet the Chairman and other members of the committee and persuade them to proceed with the working of the Act. No doubt, in the case of Anantapur Market committee, permission for extension of time was granted for printing but printing of rolls would seem to be covered by the period of 6 months contemplated under rule 2-A. In view of this and in view of 'A' and 'B' above there seems to be no objection to grant time for completion of rolls till 10.3.51 as requested by

the Collr of South Kanara. Legal may please advise.

KM 6.1.51 DR 6.1.51.

~~Suggested draft~~

~~Draft~~ The M. C. C. M. Election Rules 1950 do not provide for the grant of time ~~for~~ for the preparation of electoral rolls beyond the period of six months prescribed in rule ~~2(cc)~~ 2A of the said Rules which period expires in the present case on 5.1.51. Hence compliance with the request of the Collr of S. Canara at 'A' on p. 2 of will entail amendment of Rule 2 A. In the circumstances explained by the Collr and as recommended by the D.A. extension of time till 31.3.51 has to be given. For orders whether this may be done after amending Rule 2 A. Legal may see for confirming 'A' above before circulation

6.1.51 D.S.

I don't know if a distinction need be made ~~between~~ between preparation & publishing. Legal may see

Legal

Other explanations for delay in publishing

Legal

7+A U.O. 84395 P150-1 6.1.51

Legal Department.

Legal c.no. 393/51
7.1.51
I.P.M.

Rule 2--A of the M.C.C.M(Election)Rules,1940 expressly lays down that the Election Authority shall cause the electoral rolls of growers to be prepared in accordance with rule 3 not later than six months from the date of the appointment of the members of the Market Committee. The words "prepared in accordance with rule3" in the context can only mean the publication of the final roll in pursuance of rule 3(12), and as pointed out by D.S.Food, no distinction can be made between the preparation of the roll and its publication. The intention underlying rule 2--A seems to be that all the stages contemplated by rule 3 should be finished before the expiry of six months from the date of the appointment of the members of the committee. The extension of time for the preparation of the final electoral roll cannot be granted, until rule 2--A is amended suitably enabling the Govt. to grant such extension of time.

Legal no 393/51-1
8.1.51

8/1/51 (P) Dept. 2.0.

To A.S. Note for circulation.

P.31 the BK not putup.

To Rule 2-A of the Madras Commercial Crops Markets Act (Election) Rules requires that as soon as possible after an area is newly notified under the Madras Commercial Crops Markets Act and a Market Committee established for such area and in any event not later than 6 months from the date of appointment of members of the Committee, the Election authority shall cause the electoral rolls of growers to be prepared in accordance with rule 3.

The South Kanara district was declared a notified area in November 1949 in respect of cocoanut and its by-products and arecanut. All the members were nominated to the Market Committee on 10.7.50. With reference to the rule referred to above, the preparation of electoral roll of growers has to be completed by 9.1.51. The Collector of South Kanara who is the Election authority has stated that he has taken up the preparation of electoral roll of growers but that in view of certain practical difficulties

ADDITIONAL ASSISTANT SECRETARY TO GOVERNMENT AGRICULTURE DEPT. 11 JAN 1951

2096

P. 31-32 of BK not putup

PP 33-34 of (Y)

copy of G.O at (K)

P. 1 of

in the matter of registering of growers, he is unable to complete the roll in time and has requested for extension of time till 10.3.51 to complete it. The D.A. recommends the request of the Collector. The Legal Dept. has stated that the extension of time for the preparation of the final electoral roll cannot be granted until rule 2-A of the Madras Commercial Crops Markets (Election) Rules is amended suitably enabling the Govt. to grant such extension of time.

It may be stated that the South Kanara Market Committee, though constituted in July 1950, has not yet started functioning in view of the wide opposition against the application of the Act. A report in the matter is awaited from the D.A. In view of this, there seems to be no hurry to complete the electoral roll of growers immediately. For orders whether rule 2-A of the Madras Commercial Crops Markets (Election) Rules may be amended, after previous publication, to enable the Govt to grant extension of time for the preparation of electoral rolls of growers. A fortnight's time may be allowed for receipt of objections and suggestions. (After the rule is amended, necessary permission will be granted to the Collector of South Kanara).

2. The case may be circulated to H.M.(Agri.) for orders on 'A' above.

9.1.51 BR 9.1.51

10.1.51

A may be approved
DF HM (Agri)

11.1.51 HM (Agri)

How committee in S. Kanara functioning now? How many merchants have taken out licenses so far?

11/1

20.1.51

H.M (Agri)'s queries above

The South Kanara Market Committee has not yet started functioning. The D.A reported, last month, that the Committee had

DEPUTY SECRETARY
11 JAN 1951
FOOD AND AGRICULTURE DEPARTMENT

not framed any bylaws nor registered any traders. With reference to the suggestion of the Govt, the Director has promised to visit Mangalore and to persuade the Chairman and other members of the committee to start functioning. A report is awaited from him.

2. Orders are requested on 'A' at page 6 above.

HM 12.1.51 BR 12.1.51.

12.1.51

D.S.

12.1.51 H.M (Agri)

12.1.51

Z | This may await the report of the D.A after he visits Mangalore. HM(Agri) 16/1

This letter should have been legal formalities complied with

H.M (Agri)

Z

DEPUTY SECRETARY 16 JAN 1951 FOOD AND AGRICULTURE DEPARTMENT

C.No. 5118 A/50

20 A.S.

please see H.M's minutes above. The D.A had stated, in another file, that he would visit S. Kanara after 27-1-51 and submit a report on his return. This may lie over till his report is received or till 8.2.51 whichever is earlier.

HM 24.1.51 BR 25.1.51.

28.1.51

P 5 cf.

(From the Collector of S. Kanara Ref. C.No. 30480/49-A5. dt 12.2.51) -

20 A.S

please see the letter at P.5 cf from the Coll of S. Kanara.

P 5 cf

The Collector requested the Govt in December '50 to grant him time till 10.3.51 for completing the preparation of electoral rolls of growers. As the S. Kanara Market Committee, though constituted in July '50, has not started functioning in view of the wide

opposition it was ordered that the report of the D.A, who was asked to visit the place to persuade the Chairman and the members of the committee to get on with the committee, might be awaited. The Collr of S.Kanara now states that it will not be possible to complete the preparation of electoral rolls before 10.3.51 and requests that he may be granted time till 10.5.51. The D.A who has since visited Bangalore has sent a report stating that the Chairman and the members of the committee will meet and consider the question of working of the committee. As the committee has not yet started functioning, there does not seem to be any hurry to complete the electoral rolls. It may also be stated in this connection that, with reference to the proposal of the Collr of Anantapur to grant him extension of time to complete the electoral roll beyond 6 months, the Govt propose to take powers to relax, in certain cases, any provisions of the M.C.C.M (Election) Rules. The connected file has been circulated to HM (Agri). When the amendment is issued, time can be granted to the Collector of S.Kanara. He may perhaps be informed now that the matter is under consideration. Subject to orders a draft Memo is submitted

BR 3.3.51.

2/8/57

8/3/51

8/3/51

DS (1935)

Submitted in a Note. BR

To AS

'X' above

It is submitted that a preliminary notification for amending rule 2-A of the

copy at (C)

M.C.C.M (Election) Rules, was issued in G.O.Ms. 534-D) 21-3-51 for criticism. Objections and suggestions are awaited through the D.A. This may therefore lie over till rule 2-A is amended or till 1-5-51, whichever is earlier.

X

BB 17.4.51.

16.4.51

17.4.51

DS

20 V.S

AA

(previous notes need not be read)

The South Kanara Coconut and Arecanut Market Committee was constituted and all the members were nominated in G.O. 1331 7+A d) 10-7-50. within one year ~~after date~~ from the date of appointment of members an elected committee should take charge. According to the original rule 2-A of M.C.C.M (Election) Rules, electoral rolls of growers of the notified commercial crops in a notified area should be got printed within 6 months from the date of appointment of members. The South Kanara Market Committee started functioning only recently due to some opposition to the application of the Act. The Collr of S. Kanara reported in December '50 that the preparation of electoral rolls of growers could not be completed within the prescribed time due to some technical difficulties and requested time till 10-5-51 for finishing the work. Time could not be granted then as there was no provision in the M.C.C.M (Election) Rules for granting extension of time in

(K)

not put up

cp c'on p3 above

p 1 cf

'M' on p. 5 cf.

cp legal note at p 5 above

such cases. Rule 2-A has now been amended providing for grant of extension of time for preparation of electoral rolls - please see G.O. 958 Jud dt 11-5-51. As the Collr of S. Kanara requested ~~for grant of~~ time for completion of electoral rolls till 10-5-51, he may now be asked to state whether he has since completed it and if not by what time he will be able to complete it so that extension of time may be granted under the amended rule 2-A. Subject to orders a draft Memo is submitted

MW 21-5-51 BR 22-5-51

23/V

(Issued as Memo No. 84395/SD-4 dt 23-5-51)
(From the Collr of S. Kanara, Rd. C. No. 30488-49-A5 dt 4-5-51)

20.V.S

(Notes from 'AA' on p.9 above)

please see the reply of the Collr of South Kanara at p.11 cf with reference to the Govt Memo at p.9 cf.

The Collr reports that the preparation of manuscript rolls has been completed and that he has addressed the Secretary of the Market Committee to provide for funds to meet the expenditure on printing those rolls. The Collr has not however stated by what time he will be able to print the rolls. For orders whether the Collr may be asked to specify the date by which he will complete the ~~granted time dtd 10-5-51 for~~ printing of the rolls, as extension has to be granted under the amended rule 2-A. Subject to orders a draft Memo is submitted.

MW 96-51 BR 9.6.51

11/6

p.13 of (Inwd as Memo 84395 P/SD-5-d) 11-6-51)
p 15 of (from the coll of S.Kanara, C.No. 18150/51-L.S.C.)

20-A.S

(Notes from 'A.A' on p.9 above may be read)
go!! please see the reply at p.15 of from
the coll of S.Kanara to the Memo
at p.13 of the collector has requeste
that extension of time for preparatio
of electoral rolls may be granted
p.15 of till the first week of September. Under
copy of G.O. at (X) the proviso to rule 2-A of M.C.C. M(Elect
Rules, 1940 time may be granted till
30.9.51 as requested by the coll of S.Kanar
(Nomination of members to the S.Kanara
C.No 36642 P/51 Market Committee for another year
is separately under consideration)
Subject to orders a draft order is
submitted.
Legal may see the draft
~~notifications~~ for scrutiny before circulation.

BR
28.7.51 19.7.51.
217 57

Regd. Legal

Legal

Legal Department.

78A V.O. 84395 P/SD.7
24.7.51

The draft is in order subject to the slight
alterations indicated in red ink thereon.

30.7.51

Food & Agri

To A.S

53876 The draft Order below which is explanatory may be circulated to H.M(Agri) for affir

Legal 12376/51
31.7.51

BR
1.8.51.

2.8.51

D.S.S

ASSISTANT SECRETARY 12376 24 JUL 1951 LEGAL DEPARTMENT

ASSISTANT SECRETARY TO GOVERNMENT 1 AUG 1951

1 AUG 1951